IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE M.H.S. ANSARI

And

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 5161 of 2003

Between:

M/s.Kiran Pavings Private Ltd., rep. By its Director

Sri Himina Mehta, W/o. Atul Mehta, aged about 39 years,

Occ:Business, aged about 39 years, R/o. 3-49/23/13/7&8,

New Vasavi Nagar, Old Alwal, Secuderabad-500010.

..... PETITIONER

AND

1. State of A.P. rep. By the Secretary, Department of Commercial Taxes, Secretariat, Hyderabad.

2 The Commissioner of Commercial Taxes, Govt. of A.P. Opp: Gandhi Bhavan, Nampally Station Road, Hyderabad.

3. Commercial Tax Officer, Malkajgiri Circle, Department of Commercial Taxes, Govt. of A.P.

Opp: Gandhi Bhavan, Nampally Station Road,

Hyderabad.

4. The Managing Director, M/s. Nagarjuna Construction

Company Ltd., Nagarjuna Hills, Punjagutta, Hyderabad.

5. The General Manager, District Industries Centre,

R.R. District at Balanagar, Hyderabad.

6 The Commissioner of Industries, Chiragli Lane, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus to set aside the impugned notice No.2335014, G.I. No. /2002-03, dt.27.12.2002, issued by the respondents herein as illegal, arbitrary, contemptuous, excessive in nature and against the natural law of justice and direct the respondents 5 and 6 to sanction the Tax Incentives to the petitioner, in the interest of justice.

Counsel for the Petitioner: MR.H.C.UPADYAYA

Counsel for the Respondents: SPL GP FOR TAXES

The Court made the following:

ORAL ORDER: (per MHSA.J.)

The matter is appearing in the day's list for withdrawal on the written request of the learned counsel for the writ petitioner.

2. Accordingly the Writ Petition is dismissed as withdrawn. No costs.

(M.H.S.ANSARI, J.)

22nd December, 2004.

(S.ANANDA REDDY, J.)

SSR

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Department of Commercial Taxes, State of A.P. Secretariat, Hyderabad.

2 The Commissioner of Commercial Taxes, Govt. of

A.P. Opp: Gandhi Bhavan, Nampally Station Road,

Hyderabad.

3. Commercial Tax Officer, Malkajgiri Circle,

Department of Commercial Taxes, Govt. of A.P.

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6 The Commissioner of Industries, Chiragli Lane, Hyderabad.

7 2CCs to Spl. G.P. for Taxes, High Court of A.P. (OUT)

8 2CD copies.